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PATENT  
ATTORNEY DOCKET NO. 06788/009001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Y. Kajiwara  
Serial No.: 08/853,342  
Filed : May 8, 1997  
Title : APPARATUS FOR HOLDING A WIRE-SHAPED MEMBER

Art Unit:  
Examiner:

Commissioner of Patents and Trademarks  
Washington, DC 20231

Attention: Box Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(d) mailed October 1, 1997, (a copy of which is enclosed), and the Notice of Incomplete Response mailed November 7, 1997 (a copy of which is enclosed), Applicant as a large entity submits herewith the following:

A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63.

Payment of the surcharge of \$130.00 for late filing of the basic filing fee/declaration.

Payment of \$790.00 to complete the basic filing fee.

A check in the amount of \$920.00

Date of Deposit 11-21-97  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Janet Christy  
for ESI




PATENT  
ATTORNEY DOCKET NO. 06788/009001

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 11-21/97

  
\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

Fish & Richardson P.C.  
4225 Executive Square, Suite 1400  
La Jolla, CA 92037

Telephone: 619/678-5070  
Facsimile: 619/678-5099

46021.LJ1



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER 08/853,342	FILING/RECEIPT DATE 05/08/97	FIRST NAMED APPLICANT KATIWARA	ATTORNEY DOCKET NO./TITLE 00700/000001
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0212/1107

FISH & RICHARDSON  
4225 EXECUTIVE SQUARE  
SUITE 1400  
LA JOLLA CA 92037

NOT ASSIGNED

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DATE MAILED: 11/07/97

**NOTICE OF INCOMPLETE RESPONSE**  
**Filing Date Granted**

Applicant's response of 10-6-97 has been entered into the record. However, the application still remains incomplete for the following reason(s).

- ☒ 1. The filing fee has not been received. The amount of \$ 770.00 is due.
- ☒ 2. The surcharge of \$ 130.00 has not been received.
- ☒ 3. The declaration has not been received.
- ☐ 4. The oath or declaration is not executed in compliance with 37 CFR 1.64(a) because:
  - ☐ a. The inventor's signature is missing.
  - ☐ b. The signature is missing for inventor(s) \_\_\_\_\_
  - ☐ c. The application is one filed under 37 CFR 1.42, 1.43, or 1.47, and the oath or declaration is not executed by the person(s) qualified to make the oath or declaration.

To prevent **ABANDONMENT** of this application, a complete response is required.

The period for response remains as set forth in the Notice to File Missing Parts dated \_\_\_\_\_. However, you may obtain **EXTENSIONS OF TIME** under the provisions of 37 CFR 1.136(a) by filing a petition accompanied by the appropriate fee (37 CFR 1.17).

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

RECEIVED

Incomplete  
C. missing parts  
11/1/97  
NOV 12 1997  
FISH & RICHARDSON P.C.  
LA JOLLA, CA  
JCP 4/1/98  
129974

**A copy of this notice MUST be returned with the response.**

C. B. AD3  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/853,342	05/08/97	KAJIWARA	Y 06788/009001

Scit  
FISH & RICHARDSON  
4225 EXECUTIVE SQUARE  
SUITE 1400  
LA JOLLA CA 92037

0232/1001

NOT ASSIGNED

0000

DATE MAILED:

10/01/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☐ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 1030.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.  
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER:

Need ENG TRANS. Fee \$ 130  
Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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12/1/97  
4/21/98  
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